IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

ORDER

SB CIVIL WRIT PETITION NO.4799/1999
Mahaveer Prasad Sharma V/s The State of Rajasthan & Ors.

DATE OF ORDER : : : 3.1.2007

PRESENT
HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr.M.C. Sharma, for the petitioner.
Mr.H.V. Nandwana, Addl. GA, for the respondents.

The short controversy involved in the matter is that the petitioner was retired from the post of Senior Deputy Inspector of Schools, Zila Parishad, Tonk on 31.1.1997. The retiral benefit of the petitioner of PPO, GPO and CPO were issued on 4.5.1999 totaling to Rs.2,18,986/- and the same was received by the Treasury Officer, Alwar on 10.5.1999, but the same was deposited on 2.8.2000. The other amount of leave salary of 188 days amounting to Rs.15949/- was received in May, 1998 and the same was deposited on 15.4.1999.

The submission of counsel for the petitioner is that there is no justification for not depositing the same in the Treasury to retain the said amount and on account of delay in depositing the said amount, he has

suffered loss of interest at the rate of 12%, which is admissible on such amount.

Submission of counsel for the State is that delay was not deliberate. Alternatively, he has submitted that interest rate be reduced.

I have gone through the contents of the writ petition and further considered rival submission of the parties.

In my view, there was no justification for not depositing the said amount in the Treasury and the petitioner is rightly claiming the interest on the said amount on account of delay in depositing the same.

In the result, the writ petition is allowed and the respondents are directed to make the payment of interest at the rate of 12% per annum for the period from 10.5.1999 to 2.8.2000 on the amount of Rs.2,18,986/- and from May, 1998 to 15.4.1999 on the amount of Rs.15,949/-, within a period of one month from today.

(P.S. ASOPA) J.

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